

Committee on Regulated Industries

CS/SB 286 — Design Professionals

by Judiciary Committee and Senators Negron and Sobel

The bill permits a design professional employed by a business entity, or an agent of the entity, to be immune from tort liability for damages occurring within the course and scope of the performance of a professional services contract if:

- The contract is made between the business entity and a claimant or another entity for the provision of services to the claimant;
- The contract does not name an individual employee or agent as a party to the contract;
- The contract prominently states that an individual employee or agent may not be held individually liable for negligence;
- The business entity maintains any professional liability insurance required under the contract; and
- Any damages are solely economic in nature and do not extend to persons or property not subject to the contract.

The design professionals affected by this bill are licensed engineers, interior designers, surveyors, architects, landscape architects, and geologists.

If approved by the Governor, these provisions take effect July 1, 2013.

Vote: Senate 37-1; House 103-13